

Attorney Docket # WELL.P0108US



APG Rec'd PCT/PTO 18 MAY 2006

**IN THE UNITED STATES PATENT DESIGNATED OFFICE (DO/US)**

In re application of:

INTERNATIONAL APPLICATION NO. PCT/KR03/02767  
INTERNATIONAL FILING DATE: December 18, 2003  
PRIORITY DATE CLAIMED: December 18, 2002  
APPLICANT(S): KIM, Jae-Heun  
U.S. SERIAL No.: 10/539,794 U.S. FILING DATE: June 18, 2005  
TITLE: ELECTRONIC COMMERCE SYSTEM AND METHOD USING  
THE ELECTRONIC APPROVAL INFORMATION

**MAIL STOP PCT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**COMPLETION OF FILING REQUIREMENTS  
FOR INTERNATIONAL APPLICATION ENTERING NATIONAL  
STATE IN U.S. DESIGNATED OFFICE (DO/US) UNDER 35 USC § 371**

☒ This replies to the Notice of Missing Requirements mailed March 15, 2006

**WARNING:** Where the items being submitted to complete the entry of the international application into the National phase are filed subsequent to the initial application it is still considered to be in the international stage. If mailing procedures are utilized to obtain a date, the express mail procedure of 37 CFR 1.10 must be used (because international application papers are not covered by an ordinary certificate of mailing. 37 CFR 1.8(2)(xi).

**NOTE:** Documents and fees must be clearly identified as a submission to enter the national stage under 35 USC 371. Otherwise, the submission will be considered as being made under 35 USC 111. 37 CFR 1.494(f).

☒ A copy of the Notice of Missing Requirements is enclosed.

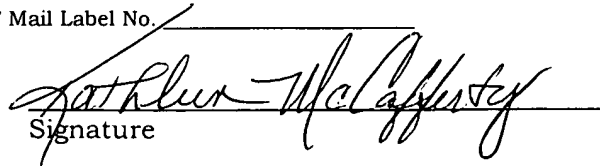
**CERTIFICATION UNDER 37 CFR § 1.8(a) and/or 1.10**

I hereby certify that, on the date shown below, this correspondence is being:

☒ Deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Arlington, Virginia 22201-4340, with sufficient postage as first class mail.

01 FC:2612  
02 FC:1631

Deposited as "Express Mail Post Office to Addressee" Mail Label No. 65.00 OP  
300.00 OP

  
Signature

May 15, 2006  
Date

Kathleen McCafferty  
Typed or Printed Name

## DECLARATION OR OATH

NOTE: 37 CFR 1.495©: "If applicant complies with paragraph (b) of this section before expiration of thirty months from the priority date but omits...the oath or declaration of the inventor (35 USC 371(c)(4) and 1.497), if a declaration of inventorship in compliance with 1.497 has not been previously submitted in the international application under PCT Rule 4.17(iv) within the time limits provided for in PCT Rule 26ter.1, applicant will be so notified and given a period of time within which to file the...oath or declaration in order to prevent abandonment of the application...The payment of the surcharge set forth in 1.492(e) is required for acceptance of the oath or declaration of the inventor later than the expiration of thirty months after the priority date.

- I. ☒ No original declaration or oath was filed. Enclosed is the original declaration or oath for the subject application.

OR

- ☐ The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

NOTE: For the surcharge fee for filing declaration after filing date complete item IV(2) below.

NOTE: "The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR §1.63:

- (A) application number (consisting of the series code and the serial number, e.g., 08/123,456;
- (B) serial number and filing date;
- (C) attorney docket number which was on the specification as filed;
- (D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or
- (E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application file din the PTO is the application which the inventor(s) executed by signing the oath or declaration.

M.P.E.P. §602, 8<sup>th</sup> Ed.

NOTE: Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday or holiday within the District of Columbia. 37CFR §1.10(c).

NOTE: 37 CFR 1.41(a) points out that "Full names must be stated, including the family name and at least one given name without abbreviation together with any other given name or initial.

(complete (a) or (b), if applicable)

Attached is a

- (a) ☐ Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- (b) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

## AMENDMENT

II.

- ☐ An amendment in accordance with 37 CFR 1.121 is attached.
- ☐ The attached amendment cancels claims \_\_\_\_\_ inclusively.

## TRANSMITTAL OF ENGLISH TRANSLATION OF NON-ENGLISH LANGUAGE PAPERS

III.

- ☐ Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

NOTE: For fee processing a non-English language application, and submission of an English translation later than 30 months after the priority date, complete item IV(3) below.

NOTE: A non-English oath or declaration in the form provided by the PTO need not be translated. 37 CFR §1.69(b).

## FEES

IV.

NOTE: See 37 CFR 1.28(a).

### 1. Fees for Claims

- ☐ each independent claim in excess of 3  
(37 CFR §1.492(b) -\$84.00; Small Entity -\$42.00) \$\_\_\_\_\_
- ☐ each claim in excess of 20  
(37 CFR §1.492(c) -\$18.00; Small Entity \$9.00) \$\_\_\_\_\_
- ☐ multiple dependent claim(s)  
(37 CFR §1.492(d) -\$280.00; Small Entity -\$140.00) \$\_\_\_\_\_

### 2. Surcharge Fees

- ☒ Surcharge for filing the declaration or oath later than thirty months from the priority date pursuant to 1.495(c)  
(37 CFR §1.495(c) -\$130.00; Small Entity -\$65.00) \$ 65.00

NOTE: The processing fee in the next item (Number 3) below is not subject to a Reduction for small entity status.

3. ☐ For filing an English language translation of an international application later than thirty months after the priority date \$\_\_\_\_\_

### 4. Examination and Search Fee

- ☒ For payment of the Examination and Search fee as Small Entity \$ 300.00

**TOTAL FEES \$ 365.00**

### SMALL ENTITY STATUS

- V. ☒ An assertion that this filing is by a small entity
- a. ☐ Is attached.
- ☐ was filed on \_\_\_\_\_ (original).
- ☒ was made by paying the basic filing fee as a small entity.
- ☒ is being made now by paying the Examination & Search fee as a small entity.
- b. ☐ A separate refund request accompanies this paper.

### EXTENSION OF TIME

VI.

NOTE: 37 CFR §1.704(b) "...an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in §1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."

The proceedings herein are for a patent application, and the provisions of 37 CFR §1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR §1.17(a)(1)-(4), for the total number of months checked below:

	Extension (months)	Fee for other than a small entity	Fee for small entity
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 410.00	\$205.00
<input type="checkbox"/>	three months	\$ 930.00	\$465.00
<input type="checkbox"/>	four months	\$1,450.00	\$725.00

**Fee:** \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

**Extension fee due with this request:** \$ \_\_\_\_\_

or

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### TOTAL FEE DUE

VII.

The total fee due is:

Completion fee(s): \$ 365.00

Extension fee (if any) \$ \_\_\_\_\_

**TOTAL FEE DUE:** \$ 365.00

### PAYMENT OF FEES

VIII.

☐ Attached is a ☐ check ☐ money order in the amount of \$ \_\_\_\_\_

☒ Authorization is hereby made to charge

☐ Deposit Account No. 18-0988 in the amount of \$ \_\_\_\_\_

☒ Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should **not** be included on this form as it may become public.

☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

IX.

**WARNING:** Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.

**NOTE:** "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check, or, if requested, by credit to a deposit account." 37 CFR §1.26(a).

☒ The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.

☒ 37 CFR §1.492(a)(2), 1.492(a)(3), or 1.492(a)(5) (Filing fees)

☐ 37 CFR §1.492(b) (Presentation of extra claims)

**NOTE:** Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 CFR §1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

☒ 37 CFR §1.17(a)(1)-(5) (Extension fees pursuant to §1.136(a)).

☒ 37 CFR 1.17 (Application processing fees)

**NOTE:** "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under §1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of


time under this paragraph for its timely submission. Submission of the fee set forth in §1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 CFR §1.136(a)(3).

☐ 37 CFR §1.18(Issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b)

NOTE: Section 1.311(b) provides that an authorization to charge the issue fee (§1.18) to a deposit account may be filed in an individual application **only after the mailing of the notice of allowance**. Accordingly, general authorizations to pay fees and specific authorizations to pay the issue fee that are filed prior to the mailing of a notice of allowance will generally not be treated as requesting payment of the issue fee and will not be given effect to act as a reply to the notice of allowance. Applicant, when paying the issue fee, should submit a new authorization to charge fees, such as by completing box 6b on the current PTOL-85B form. Where no reply to the notice of allowance is received, the application will stand abandoned notwithstanding the presence of general authorizations to pay fees or a specific authorization to pay the issue fee that were submitted prior to mailing of the notice of allowance. Where an attempt is made to pay the issue fee but an incorrect amount is submitted, §1.311(b)(1), or where the Office's issue fee transmittal form (currently PTOL-85(B)) is completed by applicant and submitted, §1.311(b)(2), in reply to a notice of allowance, an exception will be made. Such submissions will operate as a request to charge the issue fee to any deposit account identified in a previously filed (i.e., submitted prior to the mailing of the notice of allowance) authorization to charge fees, and will be allowed to act as payment of the correct issue fee. §1.311(b). See also the change to §1.26(b). Notice of September 8, 2000, Fed. Reg. 54646 and 54647.

NOTE: 37 CFR §1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application...prior to paying, or at the time of paying...issue fee..." From the wording of 37 CFR §1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

☐ 37 CFR §1.492(e) and (f) (Surcharge fees for filing the declaration and/or an English translation on an international application later than 20 months from the earliest claimed priority date).

  
Signature

John W. Renner  
Typed or printed name of practitioner)

Registration No. 19,097

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1621 Euclid Avenue, 19<sup>th</sup> Floor  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/539,794	Jae Heun Kim	WELL 108 US

*JWR*  
Renner Otto Boisselle & Sklar  
1621 Euclid Avenue, 19th Floor  
Cleveland, OH 44115

INTERNATIONAL APPLICATION NO.	
PCT/KR03/02767	
I.A. FILING DATE	PRIORITY DATE
12/18/2003	12/18/2002

CONFIRMATION NO. 4879

371 FORMALITIES LETTER



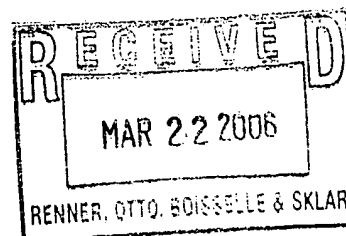
\*OC000000018274327\*

Date Mailed: 03/15/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/18/2005
- Copy of the International Search Report filed on 06/18/2005
- Oath or Declaration filed on 06/18/2005
- Request for Immediate Examination filed on 06/18/2005
- U.S. Basic National Fees filed on 06/18/2005
- Priority Documents filed on 06/18/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$730 for a Large Entity:

- \$130 Surcharge.

COPY

MAR 22 2006

5/15/06

- The application search fee has not been paid. Applicant must submit \$400 to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit \$200 to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/539,794	PCT/KR03/02767	WELL 108 US



**IN THE UNITED STATES PATENT DESIGNATED OFFICE (DO/US)**

In re application of:

INTERNATIONAL APPLICATION NO. PCT/KR03/02767  
INTERNATIONAL FILING DATE: December 18, 2003  
PRIORITY DATE CLAIMED: December 18, 2002  
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THE ELECTRONIC APPROVAL INFORMATION

**MAIL STOP PCT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**LETTER TO THE EXAMINER**

Dear Examiner Cottman:

This letter is to jog your memory regarding a telephone call we had on May 4, 2006 relating to the above application.

The above application was filed on Saturday, June 18, 2005 with authorization to charge our Deposit Account 18-0988. Although not noted on the transmittal form, the Applicant is a Small Entity, single inventor.

The USPTO charged our Deposit Account No. 18-0988 the amount of \$300 for the basic filing fee. After our telephone conversation you stated you would refund our Deposit Account \$150. The remaining Surcharge for late filing of the Declaration, Examination & Search Fee are enclosed and paid at the Small Entity amounts.

  
Signature

Kathleen McCafferty

Renner, Otto, Boisselle & Sklar  
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